

JAN - 9 2008

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

CLERK  
U. S. DISTRICT COURT  
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA )

v. )

JERRY BENJAMIN JOHNSON, JR. )

CR. NO. 2:08-CR-13-WKW

[18 USC § 922(g)(1)]

INDICTMENT

The Grand Jury charges:

COUNT 1

On or about January 4, 2008, in Montgomery County, within the Middle District of Alabama,

JERRY BENJAMIN JOHNSON, JR.,

defendant herein, having been convicted on or about the dates set forth below of the offenses set forth below, all felonies punishable by imprisonment for a term exceeding one year under the laws of the State of Florida:

<u>Conviction Date</u>	<u>Court</u>	<u>Case Number</u>	<u>Offense</u>
January 15, 1992	Circuit Court of Pinellas County, Florida	CRC-91-11:315-CFANO	Committing a Lewd and Lascivious Act Upon a Child Under the Age of Sixteen
January 15, 1992	Circuit Court of Pinellas County, Alabama	CRC-91-11:315-CFANO	Handling and Fondling a Child Under the Age of Sixteen

did knowingly possess, in and affecting commerce, the following firearm: one Bryco Arms, Model Jennings Nine, 9mm pistol a better description of which is unknown to the grand jury.  
All in violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATION

A. Count 1 of this indictment is repeated and incorporated herein by reference.

B. Upon conviction for the violation of Title 18, United States Code, Section 922(g)(1), as alleged in Count 1 of this indictment, the defendant,

JERRY BENJAMIN JOHNSON, JR.,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of this offense, including but not limited to the following:

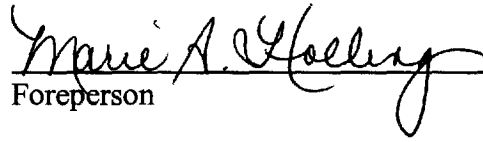
**one Bryco Arms, Model Jennings Nine, 9mm pistol**


C. If any of the forfeitable property described in this forfeiture allegation, as a result of any act or omission of the defendant:

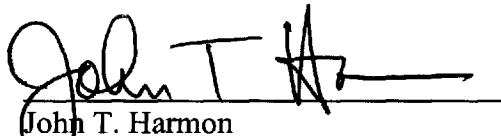
- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

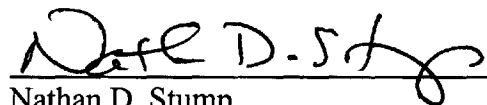
the United States, pursuant to Title 21, United States Code, Section 853, intends to seek an order of this Court forfeiting any other property of said defendant up to the value of the forfeitable property.

A TRUE BILL:

  
Foreperson

  
LEURA G. CANARY  
UNITED STATES ATTORNEY

  
John T. Harmon  
Assistant United States Attorney

  
Nathan D. Stump  
Assistant United States Attorney